

TFW \$

PTO/SB/17 (07-06)

Approved for use through 01/31/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number 10/828,559
Filing Date April 19, 2004
First Named Inventor Juha Punnonen et al.
Examiner Name Alana M. Harris
Art Unit 1643
Attorney Docket No. 0334.210US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 50-0990 Deposit Account Name: MAXYGEN, INC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$)

- 20 or HP = x = Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$)

- 3 or HP = x = Fee Paid (\$)

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

- 100 = / 50 = (round up to a whole number) x = Fee Paid (\$)

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): SUBMISSION OF IDS AFTER FIRST OFFICE ACTION

Fees Paid (\$)

180.00

SUBMITTED BY

Signature

Margaret A. Powers

Registration No. 39,804
(Attorney/Agent)

Telephone 650-298-5300

Name (Print/Type)

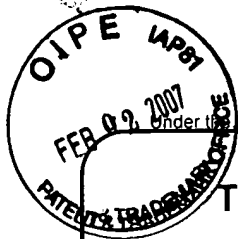
MARGARET A. POWERS

Date

1/29/07

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/828,559
Filing Date	April 19, 2004
First Named Inventor	Juha Punnonen
Art Unit	1643
Examiner Name	Harris, Alana M.
Attorney Docket Number	0334.210US

ENCLOSURES (Check all that apply)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input checked="" type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/
Incomplete Application
<input type="checkbox"/> Reply to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify
below):
Copies of 25 references; Return Postcard |
|--|--|--|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Maxygen, Inc.		
Signature			
Printed name	Margaret A. Powers		
Date	January 29, 2007	Reg. No.	39,804

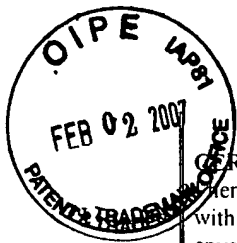
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Ann Massey	Date	1/30/07

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



CERTIFICATE OF MAILING

Hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in an
envelope addressed to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450
Mail Stop: Amendment

On 30 January 2007
By Ann Massey
Ann Massey

Attorney Docket No. 0334.210US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Juha Punnonen et al.

Examiner: Alana M. Harris

Application No: 10/828,559

Art Unit: 1643

Filed: April 19, 2004

For: Novel Tumor-Associated Antigens

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
MAIL STOP: AMENDMENT

02/02/2007 AADOF01 00000007 500990 10828559
01 FC:1806 180.00 DA

Sir:

The references cited on attached Form PTO/SB/08A-B are being called to the attention of the Examiner. Copies of the cited references, including issued U.S. patents and published U.S. patent applications, are enclosed. Also enclosed is a copy of the International Search Report and the Written Opinion for related International Application No. PCT/US04/12280.

Applicants note that the attached Form PTO/SB/08A-B cites International Publication No. WO 01/22920, which is based on International Application No. PCT/US00/26524.

Applicants have enclosed a copy of only the cover page of this international application and pages 1 and 2 of the Sequence Listing included therein, since this application is 9,789 pages in length. Applicants respectfully request that the Examiner review the remaining pages of WO 01/22920 at <http://ep.espacenet.com> or <http://www.epoline.org>.

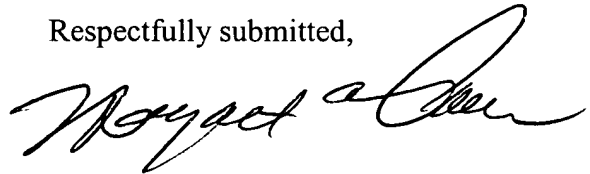
As provided for by 37 CFR §§ 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

This IDS is being filed after the mailing date of the first Office Action on the merits and more than three months after the filing date, but prior to the Notice of Allowance or Final Office Action.

The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0990. The Commissioner is hereby authorized to charge any additional fees under 37 CFR § 1.17 that may be required and/or credit any overpayment to Deposit Account No. 50-0990.

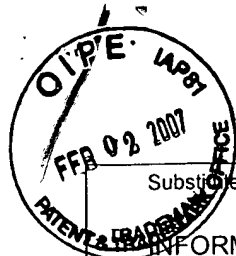
Respectfully submitted,



Margaret A. Powers
Reg. No. 39,804

January 29, 2007

Maxygen, Inc.
Intellectual Property Department
515 Galveston Drive
Redwood City, CA 94063
Telephone: (650) 298-5809
Facsimile: (650) 298-5446
Customer No. 30560



Substitute for form 1449A-B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Complete if Known	
	Application Number	10,828,559
	Filing Date	April 19, 2004
	First Named Inventor	Juha Punnonen et al.
	Group Art Unit	1643
	Examiner Name	Alana M. Harris
	Attorney Docket Number	0334.210US

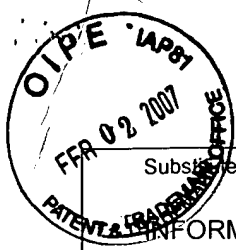
U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code (if known)			
	A1	6,444,207		Schoemaker et al.	09-03-2002	
	A2	5,348,887		Bumol et al.	09-20-1994	

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (if known)				
	A3	WO	01/22920 (only cover page and pages 1 & 2 of Sequence Listing therein)	A2	Human Genome Sciences	04-05-2001		
	A4	WO	97/15597	A1	Centocor B.V.	05-01-1997		
	A5	WO	93/08298	A1	The Wistar Inst. Of Anatomy and Biology	04-29-1993		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T
	A6	BALZAR, M. et al., "Epidermal growth factor-like repeats mediate lateral and reciprocal interactions of Ep-Cam molecules in homophilic adhesions," <i>Molecular and Cellular Biology</i> , 21(7): 2570-2580 (April 2001)		
	A7	BALZAR, M. et al., "The biology of the 17-1a antigen (Ep-CAM)," <i>Journal of Molecular Medicine</i> , 77: 699-712 (1999)		
	A8	CHONG, Jae Min et al., "Determination of disulfide bond assignments and N-glycosylation sites of the human gastrointestinal carcinoma antigen GA733-2 (CO17-1A, EGP, KS1, KSA, and Ep-Cam), " <i>The Journal of Biological Chemistry</i> , 276(8):5804-5813 (February 2001)		
	A9	EDWARDS, Dean P., "Monoclonal antibody identification and characterization of a M _r 43,000 membrane glycoprotein associated with human breast cancer," <i>Cancer Research</i> , 46:1306-1317 (March 1986)		
	A10	GÖTTLINGER, Heinrich G., et al., "The epithelial cell surface antigen 17-1a, a target for antibody-mediated tumor therapy: Its biochemical nature, tissue distribution and recognition by different monoclonal antibodies," <i>Int. Journal Cancer</i> , 38:47-53 (1986)		

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Substitute for form 1449A-B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Complete if Known	
	Application Number	10,828,559
	Filing Date	April 19, 2004
	First Named Inventor	Juha Punnonen et al.
	Group Art Unit	1643
	Examiner Name	Alana M. Harris
	Attorney Docket Number	0334.210US

A11	GASTL, Gunther et al., "Ep-Cam overexpression in breast cancer as a predictor of survival," <i>The Lancet</i> , 356(9246): 1981-1982 (December 2000)	
A12	HERLYN, Meenhard et al., "CO 17-1A and related monoclonal antibodies: Their production and characterization," <i>Hybridoma</i> , (5) Supplement 1: S3-S10 (1986)	
A13	HERLYN, Meenhard et al., "Colorectal carcinoma-specific antigen: Detection by means of monoclonal antibodies," <i>Proceedings of the National Academy of Sciences USA</i> , 76(3):1438-1442 (March 1979)	
A14	HERLYN, Dorothee et al., "Efficient selection of human tumor growth-inhibiting monoclonal antibodies," <i>Journal of Immunological Methods</i> , 73:157-167 (1984)	
A15	KIRCHNER, E.M. et al., "Sequential immunochemotherapy and edrecolomab in the adjuvant therapy of breast cancer: Reduction of 17-1A-positive disseminated tumour cells," <i>Annals of Oncology</i> , 13:1044-1048 (2002)	
A16	LITVINOV, Sergey V. et al., "Evidence for a role of the epithelial glycoprotein 40 (Ep-CAM) in epithelial cell-cell adhesion," <i>Cell Adhesion and Communication</i> , 2:417-428 (1994)	
A17	MCANENY, David et al., "Results of a Phase I trial of a recombinant vaccinia virus that expresses carcinoembryonic antigen in patients with advanced colorectal cancer," <i>Annals of Surgical Oncology</i> , 3(5):495-500 (1995)	
A18	PASSLICK, Bernward et al., "The 17-1A antigen is expressed on primary, metastatic and disseminated non-small cell lung carcinoma cells," <i>International Journal of Cancer</i> , 87:548-552 (2000)	
A19	PEREZ, Mary S. et al., "Isolation and characterization of a cDNA encoding the KS1/4 epithelial carcinoma marker," <i>The Journal of Immunology</i> , 142(10):3662-3667 (May 15, 1989)	
A20	POCZATEK, Robert B. et al., "Ep-CAM levels in prostatic adenocarcinoma and prostatic intraepithelial neoplasia," <i>The Journal of Urology</i> , 162:1462-1466 (October 1999)	
A21	ROSS, Alonzo H. et al., "Isolation and characterization of a carcinoma-associated antigen," <i>Biochemical and Biophysical Research Communications</i> , 135(1):297-303 (February 26, 1986)	
A22	SIMON, Babette et al., "Epithelial glycoprotein is a member of a family of epithelial cell surface antigens homologous to nidogen, a matrix adhesion protein," <i>Proceedings of the National Academy of Sciences USA</i> , 87:2755-2759 (April 1990)	
A23	SPIZZO, Gilbert et al., "Prognostic significance of Ep-CAM and Her-2/neu overexpression in invasive breast cancer," <i>International Journal of Cancer</i> , 98:883-888 (2002)	
A24	STRASSBURG, Christian P. et al., "Baculovirus recombinant expressing a secreted form of a transmembrane carcinoma-associated antigen," <i>Cancer Research</i> (52):815-821 (February 15, 1992)	
A25	STRNAD, Joann et al., "Molecular cloning and characterization of a human adenocarcinoma /epithelial cell surface antigen complementary DNA," <i>Cancer Research</i> (49):314-317 (January 15, 1989)	
A26	SZALA, Stanislaw et al., "Molecular cloning of cDNA for the carcinoma-associated antigen GA733-2," <i>Proceedings of the National Academy of Sciences USA</i> , 87:3542-3546 (May 1990)	
A27	GenBank Accession No. AAH05618, Tumor-associated calcium signal transducer	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.